1-1   By: Bailes (Senate Sponsor - Nichols)   H.B. No. 4664
1-2   (In the Senate - Received from the House May 17, 2021;
1-3   May 17, 2021, read first time and referred to Committee on Local
1-4   Government; May 22, 2021, reported favorably by the following
1-5   vote: Yeas 7, Nays 0; May 22, 2021, sent to printer.)

1-6   COMMITTEE VOTE

1-7		Yea	Nay	Absent	PNV
1-8	Bettencourt	X			
1-9	Menéndez	X			
1-10	Eckhardt			X	
1-11	Gutierrez			X	
1-12	Hall	X			
1-13	Nichols	X			
1-14	Paxton	X			
1-15	Springer	X			
1-16	Zaffirini	X			

1-17   A BILL TO BE ENTITLED
1-18   AN ACT

1-19   relating to authorizing the sale of certain real property by the
1-20   State of Texas to the Trinity River Authority of Texas.
1-21   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-22   SECTION 1.   (a)   Subject to Subsections (b), (c), (d), and
1-23   (e) of this section and not later than December 31, 2021, the State
1-24   of Texas shall offer to convey the real property described by
1-25   Section 2 of this Act to the Trinity River Authority of Texas.
1-26   (b)   The real property described by Section 2 of this Act may
1-27   not be conveyed by the State of Texas to the Trinity River Authority
1-28   of Texas for an amount less than the fair market value of the real
1-29   property.   The fair market value of the real property must be
1-30   established by an independent appraisal obtained by the asset
1-31   management division of the General Land Office.
1-32   (c)   The proceeds from the sale of real property authorized
1-33   by this Act shall be deposited to the credit of the permanent school
1-34   fund.
1-35   (d)   The conveyance of the real property described by Section
1-36   2 of this Act shall:
1-37   (1)   be   made   subject   to   all   valid   covenants,
1-38   conditions, reservations, restrictions, rights-of-way, easements,
1-39   and leases, if any, that are recorded   or   apparent by visual
1-40   inspection; and
1-41   (2)   reserve to the State of Texas, for the use and
1-42   benefit of the permanent school fund, all right, title, and
1-43   interest in all oil, gas, and other minerals in and under the real
1-44   property described by Section 2 of this Act.
1-45   (e)   Sections 31.1571, 31.158, and 31.159, Natural Resources
1-46   Code, do not apply to the sale of real property authorized by this
1-47   Act.
1-48   SECTION 2.   The real property held by the State of Texas
1-49   being a portion of the bed of the Trinity River, adjacent to the
1-50   William Pace League, A-60, Polk County, Texas and the Arthur Garner
1-51   League, A-16, San Jacinto County, Texas, being 42.26 acres of real
1-52   property, more or less, located in Polk and San Jacinto Counties,
1-53   Texas, and more particularly described by metes and bounds as
1-54   follows:
1-55   BEGINNING at Y = 139,874.90 varas X = 1,322,677.95 varas, at
1-56   the intersection of the easterly gradient boundary of the Trinity
1-57   River in Polk County with the centerline of a bridge on F.M. 3278, a
1-58   calculated point (1) for corner;
1-59   THENCE, S 65°-58'-41" W, with the centerline of said bridge,
1-60   crossing the Trinity River, at approximately 81 varas pass the
1-61   thread of the river, being the west line of Polk and the east line of

                                  1

2-1 San Jacinto Counties, continuing into San Jacinto County, a total
2-2 distance of 162.23 varas to an intersection with the westerly
2-3 gradient boundary of the Trinity River, being the easterly line of a
2-4 called 83.654 acre tract described in a deed to Camilla
2-5 Investments, LLC recorded as file no. 11-2895, Official Public
2-6 Records of San Jacinto County, Texas, a calculated point (2) for
2-7 corner;
2-8   THENCE, upstream, along the gradient boundary line of the
2-9 Trinity River and Camilla Investments, LLC tract as follows:
2-10   N 33°-29'-26" W - 61.56 varas to a calculated point (3);
2-11   N 26°-08'-31" W - 55.35 varas to a calculated point (4);
2-12   N 01°-09'-23" E - 30.73 varas to a calculated point (5);
2-13   N 67°-48'-31" W - 40.08 varas to a calculated point (6);
2-14   N 87°-15'-04" W - 33.90 varas to a calculated point (7);
2-15   N 63°-29'-18" W - 22.51 varas to a calculated point (8);
2-16   N 82°-54'-23" W - 76.81 varas to a calculated point (9);
2-17   S 89°-06'-28" W - 64.12 varas to a calculated point (10);
2-18   N 82°-15'-24" W - 55.92 varas to a calculated point (11);
2-19   N 73°-39'-03" W - 106.19 varas to a calculated point (12);
2-20   N 68°-28'-53" W - 53.77 varas to a calculated point (13);
2-21   N 53°-42'-21" W - 52.16 varas to a calculated point (14);
2-22   N 82°-20'-38" W - 21.62 varas to a calculated point (15);
2-23   N 60°-18'-18" W - 42.03 varas to a calculated point (16);
2-24   N 39°-06'-13" W - 34.66 varas to a calculated point (17);
2-25   S 59°-49'-36" W - 15.44 varas to a calculated point (18);
2-26   N 73°-02'-44" W - 33.45 varas to a calculated point (19);
2-27   THENCE S 30°-16'-39" W, departing the gradient boundary,
2-28 perpendicular to its general course, at 14.40 varas, set a 5/8" iron
2-29 rod with a 2" diameter aluminum cap stamped "L.E. Woods Texas
2-30 L.S.L.S." for reference point (63), continuing S 30°-16'-39" W, a
2-31 total distance of 75.07 varas to a 1/2" iron rod found, point (20),
2-32 for a north corner of said Camilla Investments, LLC tract and the
2-33 southeast corner of a called 127.72 acre parcel, described as Cause
2-34 No. VIII-A, awarded to the Trinity River Authority (TRA), according
2-35 to Final Decree of Condemnation No. 11,243 recorded in Volume 98,
2-36 page 428, Deed Records of San Jacinto County, Texas;
2-37   THENCE, N 25°-43'-00" W, with the east line of said TRA 127.72
2-38 acre parcel, a distance of 15.08 varas to a calculated point (21);
2-39   THENCE, N 08°05'00" W, continuing with the east line of said
2-40 TRA 127.72 acre parcel, a distance of 166.57 varas to a calculated
2-41 point (22) for its northeast corner and the southeast corner of a
2-42 called 86.25 acre parcel described, as Cause No. VIII-B, in said
2-43 Final Decree of Condemnation No. 11,243 recorded in Volume 98, page
2-44 428, Deed Records of San Jacinto County, Texas;
2-45   THENCE, N 05°-45'-00" W, with the east line of said TRA 86.25
2-46 acre parcel, a distance of 153.76 varas to a calculated point (23);
2-47   THENCE, N 16°-37'-00" E, continuing with the east line of said
2-48 TRA 86.25 acre parcel, a distance of 41.42 varas to its intersection
2-49 with the present gradient boundary line of the Trinity River, a
2-50 calculated point (24);
2-51   THENCE, S 83°25'44" E, along the present gradient boundary
2-52 line of the Trinity River, a distance of 65. 78 varas to a
2-53 calculated point (25);
2-54   THENCE, S 50°-24'-23" E, continuing along the present
2-55 gradient boundary line of the Trinity River, crossing back into
2-56 Polk County, a distance of 39.77 varas to a calculated point (26),
2-57 being on the southwest side of a peninsula lying between the
2-58 original course of the Trinity River and the channel excavated to
2-59 discharge water from the floodgates of the Lake Livingston Dam;
2-60   THENCE, downstream, along the present gradient boundary line
2-61 of the Trinity River on the southwest side of said peninsula as
2-62 follows:
2-63   S 36°-15'-40" E - 19.25 varas to a calculated point (27);
2-64   S 28°-43'-00" E - 25.83 varas to a calculated point (28);
2-65   S 13°-46'-02" E - 22.16 varas to a calculated point (29);
2-66   S 10°-53'-17" E - 32.80 varas to a calculated point (30);
2-67   S 31°-55'-40" E - 66.69 varas to a calculated point (31);
2-68   S 49°-45'-22" E - 42.38 varas to a calculated point (32);
2-69   S 46°-00'-15" E - 54.19 varas to a calculated point (33);

3-1   S 38°-27'-24" E - 65.29 varas to a calculated point (34);

3-2   S 61°-00'-15" E - 70.47 varas to a calculated point (35);

3-3   S 49°-06'-20" E - 45.10 varas to a calculated point (36);

3-4   S 73°-16'-32" E - 32.20 varas to a calculated point (37);

3-5   S 84°-51'-49" E - 79.31 varas to a calculated point (38);

3-6   N 88°-24'-09" E - 55.87 varas to a calculated point (39);

3-7   S 83°-52'-00" E - 38.29 varas to a calculated point (40);

3-8   N 82°-28'-32" E - 20.61 varas to a calculated point (41),

3-9 being the most southeasterly point of said peninsula;

3-10   THENCE, upstream, along the present gradient boundary line of

3-11 the Trinity River on the northeast side of said peninsula, as

3-12 follows:

3-13   N 07°-12'-33" E - 11.90 varas to a calculated point (42);

3-14   N 37°-19'-50" W - 70.06 varas to a calculated point (43);

3-15   N 50°-55'-59" W - 58.16 varas to a calculated point (44);

3-16   N 36°-58'-55" W - 129.71 varas to its intersection with the

3-17 south line of a called 70.62 acre parcel, described as Cause No. II,

3-18 awarded to the Trinity River Authority, according to Final Decree

3-19 of Condemnation No. 11,243 recorded in Volume 211, page 349, Deed

3-20 Records of Polk County, Texas, a calculated point (45);

3-21   THENCE, N 66°-01'-56" E, with a south line of said TRA 70.62

3-22 acre parcel, a distance of 361.41 varas to a calculated point (46)

3-23 for an angle corner of same and the northwest corner of a called

3-24 6.29 acre parcel described, as Cause No. I, in said Final Decree of

3-25 Condemnation No. 11,243 recorded in Volume 211, page 349, Deed

3-26 Records of Polk County, Texas, said point being within the channel

3-27 excavated to discharge water from the floodgates of the Lake

3-28 Livingston Dam;

3-29   THENCE, S 42°-22'-55" E, with the west line of said TRA 6.29

3-30 acre parcel, a distance of 102.75 varas to its intersection with the

3-31 present gradient boundary line, a calculated point (47) for corner;

3-32   THENCE, downstream, along the gradient boundary of the

3-33 Trinity River as follows:

3-34   S 18°-36'-11" E - 39.94 varas to a calculated point (48);

3-35   S 15°-30'-04" E - 34.31 varas to a calculated point (49);

3-36   S 10°-01'-55" E - 49.91 varas to a calculated point (50);

3-37   S 05°-56'-08" W, at 12.39 varas, a calculated point (64),

3-38 being a westerly extension of the south line of said TRA 6.29 acre

3-39 parcel and the northwest corner of the remainder area of Swartout

3-40 Townsite as shown on a Plat recorded in Volume E, page 538, Deed

3-41 Records of Polk County, Texas, said area purportedly owned by Wayne

3-42 R. Baker, and from which a 5/8" iron rod with a 2" diameter aluminum

3-43 cap stamped "L.E. Woods Texas L.S.L.S." set for reference point

3-44 (65), bears N 69°-30'-41" E - 68.40 varas, and a 3" diameter concrete

3-45 monument with a 3\8" iron rod in its center found for the southeast

3-46 comer of said TRA 6.29 acre tract, being reference point (66), bears

3-47 N 69°-30'-41" E - 180.16 varas, continuing S 05°56'08" W, a total

3-48 distance of 30.54 varas to a calculated point (51);

3-49   S 16°-42'-41" E - 24.49 varas to a calculated point (52);

3-50   S 07°-53'-07" E - 27.49 varas to a calculated point (53);

3-51   S 00°-40'-46" W - 28.81 varas to a calculated point (54);

3-52   S 05°-09'-48" E - 25.07 varas to a calculated point (55);

3-53   S 15°-01'-10" W - 58.27 varas to a calculated point (56);

3-54   S 19°-53'-02" E - 13.89 varas to a calculated point (57);

3-55   S 74°-30'-35" E - 13.99 varas to a calculated point (58);

3-56   S 15°-03'-54" E - 7.19 varas to a calculated point (59);

3-57   S 29°-49'-56" W - 18.79 varas to a calculated point (60);

3-58   S 36°-59'-27" E - 15.39 varas to a calculated point (61);

3-59   S 08°-42'-07" E - 27.15 varas to a calculated point (62);

3-60   And S 00°-21'-58" E - 58.92 varas to the Point of Beginning.

3-61   SECTION 3. This Act takes effect immediately if it receives

3-62 a vote of two-thirds of all the members elected to each house, as

3-63 provided by Section 39, Article III, Texas Constitution. If this

3-64 Act does not receive the vote necessary for immediate effect, this

3-65 Act takes effect September 1, 2021.

3-66   * * * * *